

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
EDUARDO COCA BRISENO,	:	
	:	S3 18 Cr. 782 (GBD)
Defendant.	:	
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WHEREAS, on or about September 3, 2020, EDUARDO COCA BRISENO (the “Defendant”), among others, was charged in two counts of a three-count sealed Superseding Indictment, S3 18 Cr. 782 (GBD) (the “Indictment”), with conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h) (Counts One and Count Two);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One and Two of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), of all property involved in the offenses charged in Counts One and Two of the Indictment;

WHEREAS, on or about February 7, 2023, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), a sum of money equal to \$100,000 in United States currency;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$100,000 in United States currency, representing the amount of property involved in the offense charged in Count One of the Indictment; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the property involved in the offense charged in Count One of the Indictment cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys, Gillian Grossman and Kyle Wirshba, of counsel, and the Defendant, and his counsel, Michael Oliver Hueston, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$100,000, in United States currency (the "Money Judgment"), representing the amount of property involved in the offense charged in Count One of the Indictment, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, EDUARDO COCA BRISENO, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.


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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By:




GILLIAN GROSSMAN / KYLE WIRSHBA
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2188 / 2493

2/7/23
DATE

EDUARDO COCA BRISENO

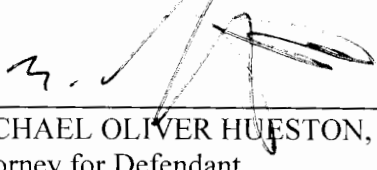
By:



EDUARDO COCA BRISENO

2-7-2023
DATE


By:



MICHAEL OLIVER HUESTON, ESQ.
Attorney for Defendant
16 Court Street, 35th Floor
Brooklyn, NY 11241

2/7/23
DATE

SO ORDERED:



HONORABLE GEORGE B. DANIELS
UNITED STATES DISTRICT JUDGE

FEB 07 2023
DATE